

Message Text

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ORIGIN AGRE-00

INFO OCT-01 EUR-12 IO-14 ISO-00 EB-08 STR-07 SIG-03
COME-00 TRSE-00 SSO-00 NSCE-00 INRE-00 ICAE-00
CEA-01 CIAE-00 DODE-00 FRB-01 H-02 INR-10 INT-05
L-03 LAB-04 NSAE-00 PA-02 CTME-00 AID-05 SS-15
ITC-01 SP-02 SOE-02 OMB-01 DOE-15 /114 R

DRAFTED BY USDA:OSABATINI/ABAILEY:WRF
APPROVED BY EUR/RPE:PMC CLEAN
USDA:RSCHROETER
USDA:JRIESZ
USDA:JMILLS
USDA:TOYLOE
STR:JSTARKEY (SUBS)
STR:BSEASTRUM
EUR/RPE:DKURSCH
EB/ITP/OT/TA:DPATTERSON

-----007219 080117Z /62

O R 072214Z SEP 78
FM SECSTATE WASHDC
TO AMEMBASSY BRUSSELS IMMEDIATE
AMEMBASSY BONN IMMEDIATE
AMEMBASSY COPENHAGEN IMMEDIATE
AMEMBASSY DUBLIN IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY ROME IMMEDIATE
AMEMBASSY LUXEMBOURG IMMEDIATE
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY THE HAGUE IMMEDIATE
INFO USMISSION GENEVA

UNCLAS STATE 227221

USEEC ALSO FOR EMBASSY, USDEL, USMTN

E.O. 11652: N/A
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TAGS: EAGR, EEC

SUBJECT: RECLASSIFICATION OF POULTRY UNDER CXT HEADING
16.02

REF: (A) BONN 15763, (B) STATE 171160, (C) STATE 149951,

(D) BONN 16285

1. ACTION ADDRESSEES REQUESTED TO CONTACT COMMISSION AND HOST GOVERNMENT OFFICIALS AT APPROPRIATE HIGH LEVEL TO CONVEY FOLLOWING POINTS:

A. U.S. REMAINS DEEPLY CONCERNED OVER STEPS BEING CONTEMPLATED BY THE COMMISSION AND THE POULTRY AND EGG MANAGEMENT COMMITTEE TO RECLASSIFY UNCOOKED PREPARED POULTRY PRODUCTS UNDER 16.02 BI AND APPLYING LEVIES ON THESE ITEMS. THERE IS AN APPARENT WILLINGNESS ON THE PART OF SOME OFFICIALS, EVEN AT THIS TIME WHEN THE MTN IS IN PROGRESS, TO TAKE ACTION WHICH WE BELIEVE WOULD CLEARLY VIOLATE GATT BINDINGS BY AN UNJUSTIFIED REINTERPRETATION OF THE BTN. U.S. IS ESPECIALLY CONCERNED THAT THE MANAGEMENT COMMITTEE MIGHT DECIDE AT ITS NEXT MEETING SCHEDULED FOR SEPTEMBER 11-12 TO RECOMMEND RECLASSIFICATION OF 16.02.

B. EVEN A MANAGEMENT COMMITTEE DECISION IN FAVOR OF A COMMISSION RECOMMENDATION TO RECLASSIFY WOULD LEAD TO

DEMANDS BY U.S. INDUSTRY FOR AN IMMEDIATE U.S. RESPONSE. IF UNCOOKED PREPARED POULTRY PRODUCTS WERE RECLASSIFIED U.S. GOVERNMENT WOULD HAVE TO TAKE APPROPRIATE ACTION. THIS CYCLE OF ACTION/COUNTERACTION WOULD JEOPARDIZE U.S.-EC EFFORTS TO SOLVE THE "CHICKEN WAR" THROUGH MTN. WE ARE STILL PROCEEDING UNDER ASSUMPTION THAT THE EC WISHES TO END UNCLASSIFIED

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THE CHICKEN WAR SINCE IT HAS NOT WITHDRAWN ITS REQUEST FOR THE ELIMINATION OF RETALIATORY DUTIES.

C. U.S. IS CONVINCED THAT RECLASSIFICATION OF 16.02 BI WOULD CONSTITUTE AN ABRIDGEMENT OF U.S. GATT RIGHTS AND LEAD TO AN EROSION OF OUR TRADING POSITION. WE HAD HOPED THAT THE CURRENT MTN WOULD LEAD TO A RESOLUTION OF THE LONG STANDING POULTRY TRADE DISPUTE AND WOULD BE WILLING TO DISCUSS THE RECLASSIFICATION QUESTION IN THAT CONTEXT BUT WE ARE NOT PREPARED TO ACCEPT A DIMINUTION OF OUR PRESENT RIGHTS.

2. REFTEL D HAS JUST BEEN RECEIVED.

WE ARE ENCOURAGED BY REPORT THAT RECLASSIFICATION QUESTION HAS BEEN REMOVED FROM THE AGENDA OF THE SEPTEMBER 12 POULTRY MANAGEMENT COMMITTEE MEETING AND BY GERMAN AGMIN OFFICIALS APPARENT DESIRE TO RESOLVE THIS QUESTION IN THE MTN. NEVERTHELESS, AS WE HAVE NEITHER BEEN INFORMED BY COMMISSION OF THEIR DECISION NOR RECEIVED ASSURANCES THAT POSSIBLE RECLASSIFICATION ACTION WILL BE POSTPONED PENDING RESULTS OF THE MTN, WE CONTINUE TO BELIEVE DEMARCHE AS OUTLINED IN PARA 1 DESIREABLE AT THIS TIME.

FOR BONN: IN VIEW OF GERMAN ATTITUDES REPORTED REFTEL D
DO NOT BELIEVE THAT ADDITIONAL APPROACH TO FRG IS NOW
NECESSARY. CHRISTOPHER

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NNN

Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Control Number: n/a
Copy: SINGLE
Draft Date: 07 sep 1978
Decaption Date: 01 jan 1960
Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Litigation Codes:
Litigation History:
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Original Previous Classification: n/a
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Declassified/Released
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20 Mar 2014
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